

REMARKS/ARGUMENTS

1. The Applicant has carefully considered the official communication dated August 16, 2004. Applicant respectfully submits that the amendment and the following remarks are fully responsive to the official communication.
2. The claims have been amended in light of the official communication. It is submitted that no new matter has been added as a result of the amendment.
3. In the Detailed Action, the Examiner has rejected claims 9 to 12 and 19 to 20 under 35 U.S.C. 103(a) as being unpatentable over Murray in view of Matsui et al.
4. Claims 9 and 10 have been amended to emphasize the fact that both the media and the media colorant are housed within a printing cartridge. The printing cartridge encloses media and media colorant supply arrangements. A feed mechanism is positioned within the housing for feeding media from the exit opening. Claim 19 has been amended similarly by way of referral to the printing cartridge. A drive mechanism engages the feed mechanism when the printing cartridge is engaged with the body of the printing device.
5. It is respectfully submitted that Murray does not describe a printing cartridge that encloses supply arrangements of the media and the media colorant. Clearly, the sheets of print media of Murray are accessible from outside the housing (Figure 3B and 4, column 3, lines 62 to 67, and column 4, lines 13 to 20). This is necessary as it permits a printing operation to be carried out on the sheets while they are positioned in the housing.
6. In the Detailed Action, the Examiner has stated that the printing cartridge of Murray includes "feed mechanisms positioned in the housing for feeding the media and the media colorant to a printing mechanism (FIG. 3A, elements 54, 56)...". It is respectfully submitted, however that the elements 54, 56 of Murray et al are simply a platen and biasing member. The housing of Murray is configured so that the sheets are exposed to a "guide rod/drive roller 24" (column 4, lines 21 to 25) which serves to feed the sheets from the housing. Thus, the feed mechanism of Murray is positioned outside the housing.
7. The Examiner's attention is respectfully drawn to the fact that the barcode depicted on the housing defines a code that represents data relating to the media and the media colorant. This is important since the media is enclosed in the housing. Thus, the barcode can be used to authenticate the media. Murray discloses a configuration in which the sheets of media can quite easily be replaced without replacing the cartridge. It would therefore be meaningless to apply a barcode relating to the media on the cartridge. It follows that Murray does not suggest that the application of such a barcode would be desirable in any way.
8. Matsui et al discloses an ink cartridge with a barcode on the ink cartridge. However, Matsui does not disclose a barcode relating to media on which the ink in the ink cartridge is to be printed. As with Murray, the application of a barcode relating to the media would be meaningless.

9. In the Detailed Action, the Examiner has stated that Matsui et al discloses "a printing cartridge in a printing apparatus having a housing including a medium consumed by the printing apparatus for printing purposes (FIG. 10, 12-14, element 21)." In Matsui et al the element 21 refers to an "ink cartridge body" (column 15, line 56). With respect, as has been pointed out in a previous response, this is simply a media colorant in a housing and not both a media and a media colorant in a housing. Thus, the printing or ink cartridge of Matsui et al carries a barcode relating to the ink and not to the media. As explained above, it would be meaningless to have a barcode relating to the media on the ink cartridge.

10. It is respectfully submitted that no combination of Murray and Matsui et al would disclose a printing cartridge having a housing and both media and media colorant supply arrangements enclosed within the housing together with a feed mechanism within the housing to feed the media from an exit opening defined by the housing.

11. In the case of *Hodosh v Block Drug Co. Inc.*, 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed Cir. 1986) it was held that the following rules should apply to obviousness rejections (from MPEP 2141):

- (A) The claimed invention must be considered as a whole;
- (B) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
- (C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and
- (D) Reasonable expectation of success is the standard with which obviousness is determined.

12. It is respectfully submitted that when considering the invention as claimed in the amended claims as a whole, neither of the citations nor any combination of the citations provides the invention as claimed in the amended claims.

13. Furthermore, with reference to item (B) in paragraph 11, above, when considering the references as a whole, they do not suggest the desirability and thus the obviousness of making the combination. For example, it is respectfully submitted that there is nothing in the descriptions of the ink cartridge of Matsui et al and of the printing cartridge of Murray, that there would be anything to be gained by having a barcode related to the media applied to either of the cartridges. In fact, as set out above, Murray teaches away from a supply of media enclosed within a cartridge as this would prevent the feed mechanism of Murray from engaging the sheets in the manner described.

14. Still further, with reference to item (C) in paragraph 11, it is respectfully submitted that to allege that such integers as the internal feed mechanism, both a media and a media colorant enclosed by the housing and a barcode relating to the media from the citations are obvious in the light of the citations would require hindsight, which is impermissible.

15. In view of the above paragraphs, it is respectfully submitted that the invention defined in the claims, as amended, is not obvious in the light of Murray, in view of Matsui et al., to apply a barcode representing data relating to both a media and a media colorant to a printing cartridge.

16. It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application are courteously solicited.

Very respectfully,

Applicant:



KIA SILVERBROOK

C/o: Silverbrook Research Pty Ltd
393 Darling Street
Balmain NSW 2041, Australia

Email: kia.silverbrook@silverbrookresearch.com

Telephone: +612 9818 6633

Facsimile: +61 2 9555 7762